

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Maureen Brady and Martin Brady,  
Plaintiffs,  
-against-  
102 E. 238th Street, LLC,  
Defendant.

25-CV-1483 (AS)

ORDER

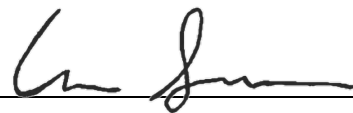
ARUN SUBRAMANIAN, United States District Judge:

Defendant removed this case from the Supreme Court, County of Bronx on the basis of diversity jurisdiction. Dkt. 1. However, in its Notice of Removal, defendant states that it is a resident of Bronx County, New York, *id.* at 3, and in the attached Civil Cover Sheet defendant checked the box indicating it was a “Citizen of This State [New York],” Dkt. 1-1 at 2. 28 U.S.C. § 1441(b)(2) states that a “civil action otherwise removable solely on the basis of [diversity] jurisdiction . . . may not be removed if any of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought.” Here, defendant has stated that it is a citizen of New York, and this action was originally brought in New York state court. So under § 1441(b)(2)’s “forum defendant rule,” this case cannot be removed.

Accordingly, it is hereby ORDERED that, by **March 7, 2025**, defendant explain to the Court why this case should not be remanded on the basis of the forum-defendant rule. If no explanation is made, the Court will remand the case without further notice. If defendant wishes to consent to remand, it may do so instead.

SO ORDERED.

Dated: February 27, 2025  
New York, New York



ARUN SUBRAMANIAN  
United States District Judge